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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DEC 19 2023

SEAN F. McAVOY, CLERK DEPUTY
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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

V.

TIMOTHY GARY MADDOX, and
NICHOLAS BRYAN ADAMS.

Defendant.

2:23-CR-143-TOR

INDICTMENT

Vio.: 21 U.S.C. §§ 841(a)(1),
(b)(1)(A)(vi), 846
Conspiracy to Distribute 400
Grams or More of Fentanyl
(Count 1)

21 U.S.C. § 841(a)(1),
(b)(1)(A)(vi), 18 U.S.C. § 2
Possession with Intent to
Distribute 400 Grams or More
of Fentanyl
(Count 2)

21 U.S.C. § 843(a)(5), (d)(1),
18 U.S.C. § 2
Unlawful Possession of a
Trademarked Die
(Count 3)

21 U.S.C. § 863(a)(2)-(3), (b),
18 U.S.C. § 2
Unlawful Use of Mails and
Importation of Drug
Paraphernalia,
(Count 4)

21 U.S.C. § 843(b), 18 U.S.C.
§ 2
Unlawful Use of the Mails
(Count 5)

18 U.S.C. § 924(c)(1)(A)
Possession of a Firearm in
Furtherance of Drug
Trafficking
(Counts 6, 12)

18 U.S.C. §§ 922(g)(1),
924(a)(8)
Felon in Possession of a
Firearm
(Count 7)

21 U.S.C. § 841(a)(1),
(b)(1)(A)(viii)
Possession with Intent to
Distribute 50 Grams or More
of Actual (Pure)
Methamphetamine
(Count 8)

21 U.S.C. § 841(a)(1),
(b)(1)(B)(i)
Possession with Intent to
Distribute 100 Grams or More
of Heroin
(Count 9)

21 U.S.C. § 841(a)(1),
(b)(1)(B)(ii)
Possession with Intent to
Distribute 500 Grams or More
of Cocaine
(Count 10)

21 U.S.C. § 841(a)(1),
(b)(1)(C)
Possession with Intent to
Distribute Cocaine
(Count 11)

21 U.S.C. § 853, 18 U.S.C.
§ 924(d)(1), 28 U.S.C.
§ 2461(c)
Forfeiture Allegation

The Grand Jury charges:

COUNT 1

Beginning on a date unknown, but by on or about August 2023, and continuing to on or about November 30, 2023, in the Eastern District of Washington, the Defendants, TIMOTHY GARY MADDOX and NICHOLAS BRYAN ADAMS, and other individuals, both known and unknown to the Grand Jury, did knowingly and intentionally combine, conspire, confederate and agree together with each other to commit the following offense: distribution of 400 grams or more of a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (a/k/a fentanyl), a

1 Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1),
2 (b)(1)(A)(vi), 846.
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4 COUNT 2
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6 On or about November 30, 2023, in the Eastern District of Washington, the
7 Defendants, TIMOTHY GARY MADDOX and NICHOLAS BRYAN ADAMS,
8 knowingly possessed with the intent distribute 400 grams or more of a mixture or
9 substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-
10 piperidinyl] propanamide (a/k/a fentanyl), a Schedule II controlled substance, in
11 violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(vi) and 18 U.S.C. § 2.
12

13 COUNT 3
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15 On or about November 30, 2023, in the Eastern District of Washington, the
16 Defendants, TIMOTHY GARY MADDOX and NICHOLAS BRYAN ADAMS,
17 knowingly and intentionally possessed a die or other thing designed to print,
18 imprint, and reproduce the trademark, tradename, or other identifying mark,
19 imprint, or device of another or any likeness of any of the foregoing upon any drug
20 or container or labeling thereof so as to render such drug a counterfeit substance, in
21 violation of 21 U.S.C. § 843(a)(5), (d)(1) and 18 U.S.C. § 2.
22

23 COUNT 4
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25 On or about November 30, 2023, in the Eastern District of Washington, the
26 Defendants, TIMOTHY GARY MADDOX and NICHOLAS BRYAN ADAMS,
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1 imported and used the mails and other facilities of interstate commerce to transport
2 drug paraphernalia that was primarily intended or designed to aid in the
3 production, consumption, or sale of a controlled substance, to wit: a pill press
4 designed and intended to aid in the production of fentanyl-laced pills meant for
5 human consumption, in violation of 21 U.S.C. § 863(a)(2)-(3), (b) and 18 U.S.C.
6 § 2.

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8 COUNT 5
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11 On or about November 30, 2023, in the Eastern District of Washington, the
12 Defendants, TIMOTHY GARY MADDOX and NICHOLAS BRYAN ADAMS,
13 did knowingly and intentionally use a communication facility, to wit: the interstate
14 mail system, in facilitating the commission of any act or acts constituting a felony
15 under Title 21, that is, Conspiracy to Distribute 400 Grams or More of Fentanyl, in
16 violation of 21 U.S.C. § 846, as charged in Count 1, in violation of 21 U.S.C. §
17 843(b) and 18 U.S.C. § 2.
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21 COUNT 6
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24 On or about November 30, 2023, in the Eastern District of Washington, the
25 Defendant, TIMOTHY GARY MADDOX, did knowingly possess firearms, that is,
26 a Smith & Wesson Model M&P 45 .45 caliber pistol bearing serial number
27 HSD2804 and a Sig Sauer Model P239 9mm pistol bearing serial number
28 SA12808, in furtherance of a drug trafficking crime for which he may be

1 prosecuted in a court of the United States, to wit: Conspiracy to Distribute
2 Fentanyl, in violation of 21 U.S.C. § 846 as charged in Count 1, and Possession
3 with Intent to Distribute Fentanyl in violation of 21 U.S.C. 841(a)(1), as charged in
4 Count 2, all in violation of 18 U.S.C. § 924(c)(1)(A).
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COUNT 7

8 On or about November 30, 2023, in the Eastern District of Washington, the
9 Defendant, TIMOTHY GARY MADDOX, knowing of his status as a person
10 previously convicted of a crime punishable by imprisonment for a term exceeding
11 one year, did knowingly and intentionally possess in and affecting commerce,
12 firearms, to wit: a Smith & Wesson Model M&P 45 .45 caliber pistol bearing serial
13 number HSD2804 and a Sig Sauer Model P239 9mm pistol bearing serial number
14 SA12808, which firearms had theretofore been transported in interstate and foreign
15 commerce, in violation of 18 U.S.C. §§ 922(g)(1), 924(a)(8).
16
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COUNT 8

21 On or about November 30, 2023, in the Eastern District of Washington, the
22 Defendant, TIMOTHY GARY MADDOX, knowingly possessed with the intent
23 distribute 50 grams or more of actual (pure) methamphetamine, a Schedule II
24 controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(viii).
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1 COUNT 9
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4 On or about November 30, 2023, in the Eastern District of Washington, the
5 Defendant, TIMOTHY GARY MADDOX, knowingly possessed with the intent to
6 distribute 100 grams or more of heroin, a Schedule I controlled substance, in
7 violation of 21 U.S.C. § 841(a)(1), (b)(1)(B)(i).

8 COUNT 10
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11 On or about November 30, 2023, in the Eastern District of Washington, the
12 Defendant, TIMOTHY GARY MADDOX, knowingly possessed with the intent
13 distribute 500 grams or more of a mixture or substance containing a detectable
14 amount of cocaine, a Schedule II controlled substance, in violation of 21 U.S.C. §
15 841(a)(1), (b)(1)(B)(ii).

16 COUNT 11
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19 On or about November 30, 2023, in the Eastern District of Washington, the
20 Defendant, NICHOLAS BRYAN ADAMS, knowingly possessed with the intent
21 distribute a mixture or substance containing a detectable amount of cocaine, a
22 Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C).
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24 COUNT 12
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27 On or about November 30, 2023, in the Eastern District of Washington, the
28 Defendant, NICHOLAS BRYAN ADAMS, did knowingly possess firearms, that
is, Glock Model 19 9mm pistol bearing serial number BGZE757 and a Polymer 80

lower AR-type pistol with no serial number, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, to wit: Conspiracy to Distribute Fentanyl in violation of 21 U.S.C. § 846 as charged in Count 1, and Possession with Intent to Distribute Fentanyl in violation of 21 U.S.C. 841(a)(1), as charged in Count 2, all in violation of 18 U.S.C. § 924(c)(1)(A).

SERIOUS DRUG FELONY

Before TIMOTHY GARY MADDOX committed the above offense named in Count 1, Count 2, Count 9, Count 10, and/or Count 11, TIMOTHY GARY MADDOX, had a final conviction for a serious drug felony, as defined in 21 U.S.C. § 802(57), to wit: Possession with Intent to Distribute 50 Grams or More of a Mixture or Substance Containing Methamphetamine, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(B)(viii), in the United States District Court for the Eastern District of Washington, Case No. CR 15-004-RMP, and having served a term of imprisonment beginning on or about August 6, 2015, and continuing until on or about August 13, 2019.

NOTICE OF CRIMINAL FORFEITURE

The allegations set forth in this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures.

1 Pursuant to 21 U.S.C. § 853, upon conviction of an offense in violation of
2 21 U.S.C. § 841 as set forth in Counts 1, 2 and 8 – 11; and/or, in violation 21
3 21 U.S.C. § 843 as set forth in Counts 3 and 5; and/or, in violation of 21 U.S.C. § 863,
4 as set forth in Count 4 of this Indictment, Defendants, TIMOTHY GARY
5 MADDOX and NICHOLAS BRYAN ADAMS, shall forfeit to the United States
6 of America, any property constituting, or derived from, any proceeds obtained,
7 directly or indirectly, as the result of such offense and any property used or
8 intended to be used, in any manner or part, to commit or to facilitate the
9 commission of the offense.
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12 If any forfeitable property, as a result of any act or omission of the
13 Defendants:

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- 15 a. cannot be located upon the exercise of due diligence;
16 b. has been transferred or sold to, or deposited with, a third party;
17 c. has been placed beyond the jurisdiction of the court;
18 d. has been substantially diminished in value; or
19 e. has been commingled with other property which cannot be divided
20 without difficulty,
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22 the United States of America shall be entitled to forfeiture of substitute property
23 pursuant to 21 U.S.C. § 853(p).
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25 Pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), upon conviction
26 of an offense in violation of 18 U.S.C. § 924(c)(1)(A), as set forth in Counts 6 and
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1 12, and/or in violation of 18 U.S.C. §§ 922(g)(1), 924(a)(8), as set forth in Count 7
2 of this Indictment, Defendants, TIMOTHY GARY MADDOX and NICHOLAS
3 BRYAN ADAMS, shall forfeit to the United States of America, any firearm and
4 ammunition involved or used in the commission of the offense(s).
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6 DATED this 19th day of December 2023.
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8
9 A TRUE BILL
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13 Vanessa R. Waldref
14 United States Attorney
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16 Caitlin A. Baunsgard
17 Assistant United States Attorney
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